



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding DEVON PROPERTIES LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR

Introduction

This hearing was convened as a result of the landlord's Application for Dispute Resolution (the "Application") under the *Residential Tenancy Act* (the "Act"). The landlord has applied for an order of possession based on an undisputed 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the "10 Day Notice") and to recover the cost of the filing fee.

The original Application was submitted through the Direct Request process and on May 4, 2017 an Interim Decision was issued which adjourned the Direct Request proceeding to a participatory hearing on this date, June 14, 2017. The Interim Decision should be read in conjunction with this Decision.

On June 14, 2017 the tenant, an agent for the landlord and legal counsel for the landlord attended the teleconference hearing. I introduced myself and the participants and an opportunity to ask questions was given to both parties. The parties provided affirmed testimony.

Settlement Agreement

During the hearing, the parties agreed to settle this matter on the following conditions:

1. The parties mutually agree that the monthly rent is \$1,073.30 and is due on or before the first day of each month.
2. The parties mutually agree that the 10 Day Notice dated April 17, 2017 has been mutually withdrawn and is of no force or effect.
3. The tenant agrees to permit the landlord to deduct **\$100.00** from the tenant's account credit in full satisfaction of the landlord's recovery of the cost of the filing fee pursuant to section 72 of the *Act*.

4. The tenant acknowledges that any future late payment of rent will result in the landlord issuing a new 10 Day Notice.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

The tenancy continues until ended in accordance with the *Act*.

Conclusion

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the final and binding nature of their mutually settled agreement on these matters.

I order the parties to comply with their settlement agreement described above.

The tenancy continues until ended in accordance with the *Act*.

This decision is final and binding on the parties, unless otherwise provided under the *Act*, and is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: June 14, 2017

Residential Tenancy Branch